

City of Hampton, VA

22 Lincoln Street
Hampton, VA 23669
www.hampton.gov



Council Agenda

Wednesday, January 14, 2015

6:30 PM

Council Chambers, 8th Floor, City Hall

City Council

***Linda Curtis, W. H. "Billy" Hobbs, Jr., Will Moffett, Teresa V.
Schmidt, Chris Snead, Donnie R. Tuck,
George E. Wallace, Mayor***

Staff:

Mary Bunting, City Manager

Vanessa T. Valldejuli, City Attorney

Katherine K. Glass, CMC, Clerk of Council

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WELCOME TO THE HAMPTON CITY COUNCIL MEETING

Because of the large number of matters that need consideration, the City Council has established a meeting format and certain guidelines for citizen participation. These help ensure that everyone who wishes to speak can do so, and that the Council can benefit from hearing as many different people as possible in the shortest time. From time to time, It may be in the public's interest to change the format and guidelines, and the Council can do so at its discretion without prior notice.

THE ORDER OF BUSINESS

The Council generally conducts meetings in the following order:

- (1) Call to Order
- (2) Ceremonial Matters
- (3) Consent Agenda
- (4) Regular Business Agenda
- (5) Miscellaneous New Business
- (6) Adjournment

Agenda items are taken up one at a time in the order in which they are listed. Matters on the consent agenda are routine and are adopted by one motion without separate discussion. However, items can be moved from the consent agenda to the regular agenda upon request by a citizen or a member of the Council. Keep in mind that the agenda is for the convenience of the public and the Council, and that it can be altered by the Council at any time without prior notice when the Council considers it in the public's interest to do so.

CITIZENS ARE INVITED TO PARTICIPATE

The City Council has adopted a three (3) minute time limit policy for individuals desiring to address issues before this body. If you wish to address the City Council, please sign in before the meeting on the sign-up sheet located in the rear of Council Chambers. Please include your name and the subject on which you wish to speak, including the docket number if it is an item on the agenda. If you wish to address Council on a non-agenda item, the permission of Council is necessary.

If you are with a group of people, you may want to have a spokesman or two present your position to the Council and have others in agreement recognized by standing. The Council will always try to hear everyone who wishes to speak on a subject, but sometimes discussion has to be limited due to time. If the previous speaker has stated your position, you may make that known by reference (for example, "I agree with the position stated by Mr. Jones and have nothing further to add"). Repetition of positions by more than one speaker often uses more time than necessary.

Speakers are generally limited to one appearance, although Council can allow exceptions at its discretion. If possible, you should speak from prepared remarks to the subject under discussion. Irrelevant comments use others' time and your own and detract from your statements on the matter being considered.

Meetings of the Council are formal proceedings, and all comments are recorded on tape and by stenographer. For that reason, you are requested not to speak from your seat or out of turn. When you are called by the presiding officer, please follow these steps:

- (1) Come forward to the speaker's podium.
- (2) State your name and address
- (3) State your conclusion and give facts and other data to back it up.
- (4) If you represent a group or organization, ask the others to rise and be recognized.
- (5) If you have a written statement, give it and other supportive material to the Clerk for the record.

The above guidelines are intended to encourage the greatest possible participation by citizens at Council meetings. They can be modified at any time by the Council at its discretion and without prior notice.

Thank you for taking your time to participate in the Council meeting. Good government depends on the interest and involvement of you and your fellow citizens. We invite you to return.

CALL TO ORDER/ROLL CALL

INVOCATION - Councilman Will Moffett

PLEDGE OF ALLEGIANCE TO FLAG

MAYOR'S COMMENTS

CONSENT AGENDA

Consent Items

1. **14-0470** Rezoning Application No. 14-00004: Proposal by Mawusi Scott Properties II, LLC to rezone + 4.606 acres at 3217 Commander Shepard Boulevard (LRSN 6000976) and (LRSN 6000977) in the Langley Research and Development Park from Limited Manufacturing (M-1) District to Limited Commercial (C-2) District with proffers, to facilitate the development of a day care, greenhouse, and a second-hand store. Approval of this application would permit a day care establishment for children, a greenhouse for growing fruits, vegetables, and plants, and a second-hand store. This application accompanies Use Permit Application No. 14-00016 for Day Care 3, where the applicant is requesting permission to operate a day care for a maximum of 100 children, ages 0 months to 12 years old.
2. **14-0471** Use Permit Application No. 14-00016: Proposal by Mawusi Scott Properties II, LLC to operate a Day Care 3 in an existing building at 3217 Commander Shepard Boulevard (LRSN 6000976) in the Langley Research and Development Park. This application accompanies Rezoning Application No. 14-00016 to rezone the property listed above as well as an adjacent property, LRSN 6000977, from Limited Manufacturing (M-1) District to Limited Commercial (C-2) District with proffers, which if approved, would permit a Day Care 3 subject to approval of a use permit.
3. **15-0030** Rezoning Application No. 14-00009: by LF Enterprises, LLC to rezone 8.0+ acres at 960, 1014, 1018, and 1020 Big Bethel Road (LRSNs 4001445, 4001446, 4001448 & 4001447) from Limited Commercial (C-2) District with conditions and One Family Residence (R-11) District to Multiple Dwelling (MD-3) District with conditions for a maximum of sixty townhouse style, multi-family residences. The Hampton Community Plan (2006, as amended) recommends mixed-use and low density residential for this area. Copies of documents or information concerning this proposal may be obtained from the Community Development Department located in Hampton City Hall at 22 Lincoln Street or from Mike Hayes, 757-728-5244 or mdhayes@hampton.gov.

4. **15-0001** Resolution Requesting the Virginia Department of Transportation to Program a Bridge Replacement Project at the Bridge Street Over Salters Creek
5. **15-0002** Resolution Approving the Appropriation of \$15,000.00 Over a Five-Year Period, in Partnership With U.S. Geological Survey, to Operate and Receive Data From a Tidal Monitoring Station Located on the Hampton River at the Bickford Bridge on E. Pembroke Avenue
6. **15-0003** Resolution Approving the Appropriation of Additional Funds to the Capital Projects Fund for a VDOT HSIP Project at Executive Drive and Marcella Road
7. **15-0004** Resolution Authorizing the Transfer from the City of Hampton to the Economic Development Authority of the City of Hampton Two Lots in Phoebus: LRSN: 13000219 known as 50 North Mallory Street, and LRSN: 12001979 known as 42 North Mallory Street.
8. **15-0005** Resolution Approving the Appropriation of Additional Funds to the Capital Projects Fund for a VDOT Urban Project Commander Shepard Boulevard Phase 2
9. **15-0006** Ordinance To Repeal Non-Coded Ordinances #701, #950 and #1044
10. **15-0010** Ordinance to Amend and Reenact Article III of Chapter 2 Entitled "Officers and Employees Generally" of the City Code of the City of Hampton, Virginia by Adding Section 2-114 Pertaining to the Legal Department.
11. **15-0011** Ordinance to Amend and Reenact Chapter 21, "Motor Vehicles and Traffic", Article I, "In General", of the City Code of the City of Hampton, Virginia, by Amending Section 2-18, "Use of Video-Monitoring Systems to Enforce Law Against Passing Stopped School Buses Authorized."
12. **15-0012** Resolution Approving the City of Hampton, Virginia's Participation and Appropriation 2014 State Homeland Security Program Grant-Disaster Outreach Targeting Tourist Population, through the Virginia Department of Emergency Management
13. **15-0013** Resolution Approving the City of Hampton, Virginia's Participation and Appropriation of the 2014 State Homeland Security Program Grant - Regional Shelter Planning, Training, Exercise and Equipment, Through the Virginia Department of Emergency Management.

14. **15-0014** Resolution Approving the City of Hampton, Virginia's Participation and Appropriation of the 2014 State Homeland Security Program Grant - Citizen Corps Program, though the Virginia Department of Emergency Management
15. **15-0015** Resolution Approving the City of Hampton, Virginia's Participation and Appropriation of the 2014 Local Emergency Management Performance Grant through the Virginia Department of Emergency Management
16. **15-0016** Resolution Approving the City of Hampton, Virginia's Participation and Appropriation of the Walmart Community Grant through the Walmart Foundation
17. **15-0023** Approval of the minutes from the special meeting of September 24, 2014, and the afternoon meeting of November 12, 2014.
18. **15-0024** Request for Refunds for Tax Year 2014
19. **15-0029** Resolution to Approve the Amendment of the Service Agreement of the Hampton Roads Regional Jail Authority

PRESENTATIONS, PROCLAMATIONS, AWARDS

20. **14-0468** Presentation of Digital Cities Award
21. **15-0031** Government Finance Officer's Award for Distinguished Budget Presentation
22. **15-0032** Hampton Department of Fleet Services recognized by Governing Magazine as one of the 100 Best Fleets in North America.
23. **15-0033** Hampton Department of Fleet Services recognized by the National Institute for Automotive Service Excellence (ASE) Blue Seal of Excellence Program

PUBLIC HEARINGS

GENERAL ITEMS

Ordinances

- 24. 15-0008** Ordinance to Amend and Reenact Chapter 13.1 of the City Code of the City of Hampton, Virginia Entitled "Land Disturbing Operations," by Amending Section 13.1-3, Exemptions from Chapter; Section 13.1-6, Permit and Application Fee; and Section 13.1-12, Single Family Detached Residences, to Increase the Land Disturbing Threshold to the Allowable State Limit Set Forth in Virginia Code §§ 62.1-44.15:51 through 62.1-44.15:66 and to be Consistent with the Exemptions as Set Forth Therein
- 25. 15-0009** Ordinance to Amend and Reenact Chapter 33.2 of the City Code of the City of Hampton, Virginia Entitled "Stormwater Management," by Amending Section 33.2-8, Exemptions, and Section 33.2-12, Water Quality Impact Assessment, to be Consistent with the Exemptions and Allowable State Limits as Set Forth in Virginia Code §§ 62.1-44.15:34 through 62.1-44.15:49

Appointments

- 26. 14-0467** to consider appointments to the Citizens' Unity Commission and CEAC
- 27. 14-0482** to consider an appointment to the Economic Development Authority

REZONINGS**USE PERMITS****REPORTS BY CITY MANAGER, CITY COUNCIL, STAFF, COMMITTEES**

- 28. 14-0477** Briefing on the Hampton Preliminary Flood Map 7/31/14

MISCELLANEOUS NEW BUSINESS**PUBLIC COMMENT****ADJOURNMENT****Contact Info:**

Clerk of Council, 757-727-6315, council@hampton.gov